


Colorado Legislative Council Staff Fiscal Note
STATE
FISCAL IMPACT

Drafting Number: LLS 10-0631
Prime Sponsor(s): Rep. Casso
 Sen. Sandoval

Date: January 26, 2010
Bill Status: House Health and Human Services
Fiscal Analyst: Bill Zepernick (303-866-4777)

TITLE: CONCERNING BRINGING CERTAIN STATUTORY PROVISIONS CONCERNING CHILD WELFARE INTO COMPLIANCE WITH FEDERAL LAW.

Fiscal Impact Summary	FY 2010-2011	FY 2011-2012
State Revenue		
Cash Funds		
Colorado Bureau of Investigation Identification Unit Cash Fund	\$55,300	\$23,700
State Expenditures		
Cash Funds		
Colorado Bureau of Investigation Identification Unit Cash Fund	\$56,308	\$23,336
FTE Position Change	0.3 FTE	0.1 FTE
Effective Date: Upon signature of the Governor, or upon becoming law without his signature.		
Appropriation Summary for FY 2010-2011: See State Appropriations section.		
Local Government Impact: None.		

Summary of Legislation

The bill brings several aspects of Colorado law concerning child welfare into compliance with federal law. Specifically, the bill requires that:

- specialized group home parents and any person working in a 24-hour child care facility have an FBI fingerprint-based criminal history records check through the Colorado Bureau of Investigation (CBI);
- a child's best interest be the primary consideration when determining where to place a child for adoption;
- preference be given to a child's relative when making a foster care or pre-adoptive placement, if the relative can safely meet the child's needs; and
- child placement agencies recruit and retain foster and adoptive parents who reflect the racial, ethnic, cultural, and linguistic background of children in the agency's care.

The bill allows race, ethnicity, or national origin of a child and potential adoptive or foster families to be considered under extraordinary circumstances, but states that a placement shall not be delayed due to these factors. In private adoption cases, a birth parent may designate a specific applicant with whom they wish to place a child for adoption for consideration by the courts. The bill gives the courts discretion concerning the assessment process for certain kinship adoption cases.

State Revenue

This bill increases revenue to the Department of Public Safety by \$55,300 in FY 2010-11 and \$23,700 in FY 2011-12 in the Colorado Bureau of Investigation Identification Unit Cash Fund. This revenue is from the \$39.50 fee charged to child welfare workers for conducting a background check as required by the bill. This analysis estimates that about 1,400 specialized group home parents and employees in a 24-hour child care facility would require a criminal background check during FY 2010-11, and that about 600 child welfare workers per year would require a background check each year thereafter to account for staff turnover. Table 1 shows the fee impact on child welfare workers covered by the bill and the total revenue generated.

Fee Impact on Individuals, Families or Business. Section 2-2-322, C.R.S., requires legislative service agency review of measures which create or increase any fee collected by a state agency. The table below identifies the fee impact of this bill.

Table 1. Fee Impact on Individuals, Families or Business				
Type of Fee	Fiscal Year	Current Fee	Number Affected	Total Fee Impact
Background Check Fee	FY 2010-11	\$39.50	1,400	\$55,300
	FY 2011-12	\$39.50	600	\$23,700

State Expenditures

The bill increases cash funds expenditures in the Department of Public Safety by \$56,308 and 0.3 FTE in FY 2010-11 and \$23,336 and 0.1 FTE. The department is expected to conduct an additional 1,400 background check for child welfare workers in FY 2010-11 and 600 more background checks in FY 2011-12. To accomplish this, the department requires 0.2 FTE for a Fingerprint Examiner II and 0.1 FTE for a Data Specialist in FY 2010-11. To support this staff and increased workload, the department requires specialized fingerprint hardware and software, in addition to standard operating expenses such as postage, training, and telephone costs. The department must pass through \$17.25 of the \$39.50 fee it collects for each background check to the FBI to pay for the federal background check. Table 2 provides an overview of these costs.

Table 2. Expenditures Under HB10-1106		
Cost Components	FY 2010-11	FY 2011-12
Personal Services	\$14,513	\$5,358
<i>FTE</i>	0.3	0.1
Operating Expenses	1,213	515
Fingerprint Hardware, Software, and Access Charges	16,432	7,113
Pass-through to FBI for Federal Background Check	24,150	10,350
TOTAL	\$56,308	\$23,336

Expenditures Not Included

Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. The centrally appropriated costs subject to this policy are summarized in Table 3.

Table 3. Expenditures Not Included Under HB10-1106*		
Cost Components	FY 2010-11	FY 2011-12
Employee Insurance (Health, Life, Dental, and Short-term Disability)	\$2,133	\$711
Supplemental Employee Retirement Payments	540	242
TOTAL	\$2,673	\$953

*More information is available at: <http://www.colorado.gov/cs/Satellite/CGA-LegislativeCouncil/CLC/1200536133924>

State Appropriations

The fiscal note indicates an appropriation to the Department of Public Safety of \$56,308 from the Colorado Bureau of Investigation Identification Unit Cash Fund and 0.3 FTE in FY 2010-11. Of this amount, the department will pass through \$24,150 to the FBI.

Departments Contacted

Human Services Judicial Law Public Safety